

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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LOICE PITTMAN,	X	
	X	
Petitioner,	X	
	X	
vs.	X	No. 08-2489-STA-tmp
	X	
HENRY STEWARD,	X	
	X	
Respondent.	X	
	X	

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ORDER OF DISMISSAL

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On July 17, 2008, Petitioner Loice Pittman, Tennessee Department of Correction prisoner number 364571, an inmate at the West Tennessee State Penitentiary ("WTSP") in Henning, Tennessee, filed a pro se petition pursuant to 28 U.S.C. § 2254, an affidavit of indigency, and a motion to appoint counsel. (Docket Entries "D.E." 1-3.) On January 22, 2009, the Court issued an order denying leave to proceed in forma pauperis and directing Petitioner within thirty (30) days, to pay the habeas filing fee and to file an amended petition on the official form. (D.E. 4.) Plaintiff has not complied with the Court's January 22, 2009 order, and the time set for compliance has expired.

The January 22, 2009 order stated, in pertinent part, that "[f]ailure to timely comply with any of the requirements of

this order will result in dismissal of the petition without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute". (Id. at 3.) Therefore, the Court DISMISSES this action without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. The Clerk is directed to enter judgment for Respondent.

IT IS SO ORDERED this 2<sup>nd</sup> day of June, 2009.

**s/ S. Thomas Anderson**  
S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE